

RECEIVED

AUG 19 2008

DEQ
Environmental Response & Remediation

When recorded return to:
Utah Department of Environmental Quality
Division of Environmental Response and Remediation
Attention: Voluntary Program Coordinator
168 North 1950 West
Salt Lake City, Utah 84116

10495317
08/08/2008 08:50 AM \$0.00
Book - 9633 Pg - 3404-3411
GARY W. OTT
RECORDER, SALT LAKE COUNTY, UTAH
UT ST-ENVIRONMENTAL QUALITY
168 N 1950 W
SLC UT 84116
BY: ZJM, DEPUTY - WI 8 P.

RE: Redwood Plaza Shopping Center Voluntary Cleanup Site (VCP # C017)
1740 West 700 North, Salt Lake City, Utah

AMENDED CERTIFICATE OF COMPLETION

This Certificate of Completion is amended to reflect a substituted legal description submitted as Amendment II to the Voluntary Cleanup Agreement on June 23, 2008. This Amended Certificate of Completion replaces in its entirety the previous Certificate of Completion issued on March 26, 2008 and recorded on April 2, 2008 as Document # 10389309 in Book 9589, Pages 7860 -7867 with the Salt Lake County Recorder.

1. Compliance with Terms of Voluntary Cleanup Program

The Executive Director of the Utah Department of Environmental Quality, through his undersigned designee below, has determined that Redwood Plaza LLC, hereinafter referred to as "Applicant," has completed a Utah Department of Environmental Quality ("UDEQ") supervised voluntary cleanup of the real property described in Attachment A (the "Property"), in accordance with sections 19-8-108 and 19-8-110 of the Utah Code Annotated and the Voluntary Cleanup Agreement entered into on March 31, 2000 and amended on May 24, 2004 and June 23, 2008. The Applicant is granted this Certificate of Completion ("COC") pursuant to section 19-8-111 and subject to the conditions set forth in section three below. Figures depicting the Property are located in Attachment B.

2. Acknowledgment of Protection From Liability

This COC acknowledges protection from liability provided by section 19-8-113 of the Utah Code Annotated to an Applicant who is not responsible for the contamination under the provisions listed in subsection 19-8-113(1)(b) at the time the Applicant applies to enter into a Voluntary Cleanup Agreement, and to future owners who acquire the Property covered by this COC, and to lenders who make loans secured by the Property covered by the COC.

As set forth in section 19-8-113, this release of liability is not available to an owner or lender who was originally responsible for a release or contamination, or to an owner or lender who changes the land use from the use specified in the COC if the changed use or uses may reasonably be expected to result in increased risks to human health or the environment, or to an owner or lender who causes further releases on the Property. Also, there is no release from liability if the COC is obtained by fraud, misrepresentation, or the knowing failure to disclose material information. Finally, protection

SCANNED

from liability is limited to contamination identified in the documents related to the investigation and cleanup of the Property.

3. Specified Land Use for Certificate of Completion

This COC is issued based on the Applicant's representation that the Property will be used for commercial/retail and/or industrial uses, consistent with the commercial/industrial worker exposure scenario described in the Risk Assessment Guidance for Superfund, Volume I, Human Health Evaluation, Parts A and B. The commercial/industrial scenario is defined as exposure to adults to incidental ingestion and dermal contact to hazardous constituents for a duration of 25 years at a frequency of 250 days a year for eight hours a day.

This COC is not issued for use of the Property for managed care facilities, hospitals, residential use (including caretakers that reside on the Property), or for day care and school facilities. Uses that are not anticipated as stated above would be inappropriate and unacceptable for the Property. Additional investigation and possible remediation would be required, and the COC amended to allow for those uses. Since those uses were neither represented nor approved, they would nullify the release of liability and coverage of this COC described in section two above.

In addition, this COC is issued based upon compliance with the COC, as well as the Site Management Plan (SMP), dated December 18, 2007. The COC and SMP, among other things, require:

- a. The Property shall be used in a manner that is consistent with the land use described in section three above;
- b. Non-use of the groundwater located beneath the Property via wells, pits, sumps or other means for the purpose of irrigation, drinking or bathing;
- c. The Site Management Plan is implemented as proposed;
- d. The groundwater is monitored as described in the SMP;
- e. Reports are submitted to UDEQ as described in the SMP;
- f. Continued reimbursement to UDEQ for its oversight of activities under the SMP;
- g. Continued consent to access by UDEQ to monitor compliance with the SMP;
- h. Compliance with the Contingency Plan described in the SMP; and
- i. Compliance with the Environmental Covenant recorded with the Salt Lake County Recorder on March 10, 2008 in Book 9580 on pages 3043-3053.

4. Unavailability of Release of Liability

Use of the Property that is not consistent with section three including failure to comply with the SMP described in section three shall constitute a change in land use expected to result in increased risks to human health/the environment making the release of liability in section two unavailable.

5. Amended Certificate of Completion

Upon completion of the SMP, the Applicant, current or future owners, or lenders may request the UDEQ to record an amended COC to delete compliance with the SMP as a condition of land use.

6. Availability of Records

All documents discussed in this COC are on file and may be reviewed at the UDEQ/ Division of Environmental Response and Remediation office located at 168 North 1950 West, Salt Lake City, Utah.

7. Final Signature for Redwood Plaza Certificate of Completion

Dated this 30th day of JUNE 2008.

Brad T Johnson

Brad T Johnson, Director
Division of Environmental Response and Remediation
And Authorized Representative of the Executive Director
of the Utah Department of Environmental Quality

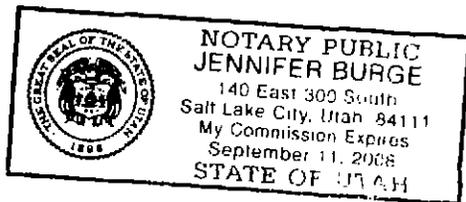
STATE OF UTAH _____)

:SS.

COUNTY OF Salt Lake _____)

On this 30 day of June, 2008, personally appeared before me, Brad T Johnson

who duly acknowledged that he/she signed the above Certification of Completion as an authorized representative of the Executive Director of the Utah Department of Environmental Quality.



Jennifer Burge
NOTARY PUBLIC
Residing At: SLE, UT

My Commission Expires 9-11-08

ATTACHMENT A

Redwood Shopping Plaza Legal Property Description

**Redwood Shopping Plaza
1740 West 700 North
Salt Lake City, Utah**

Legal Property Description:

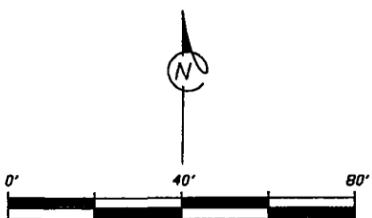
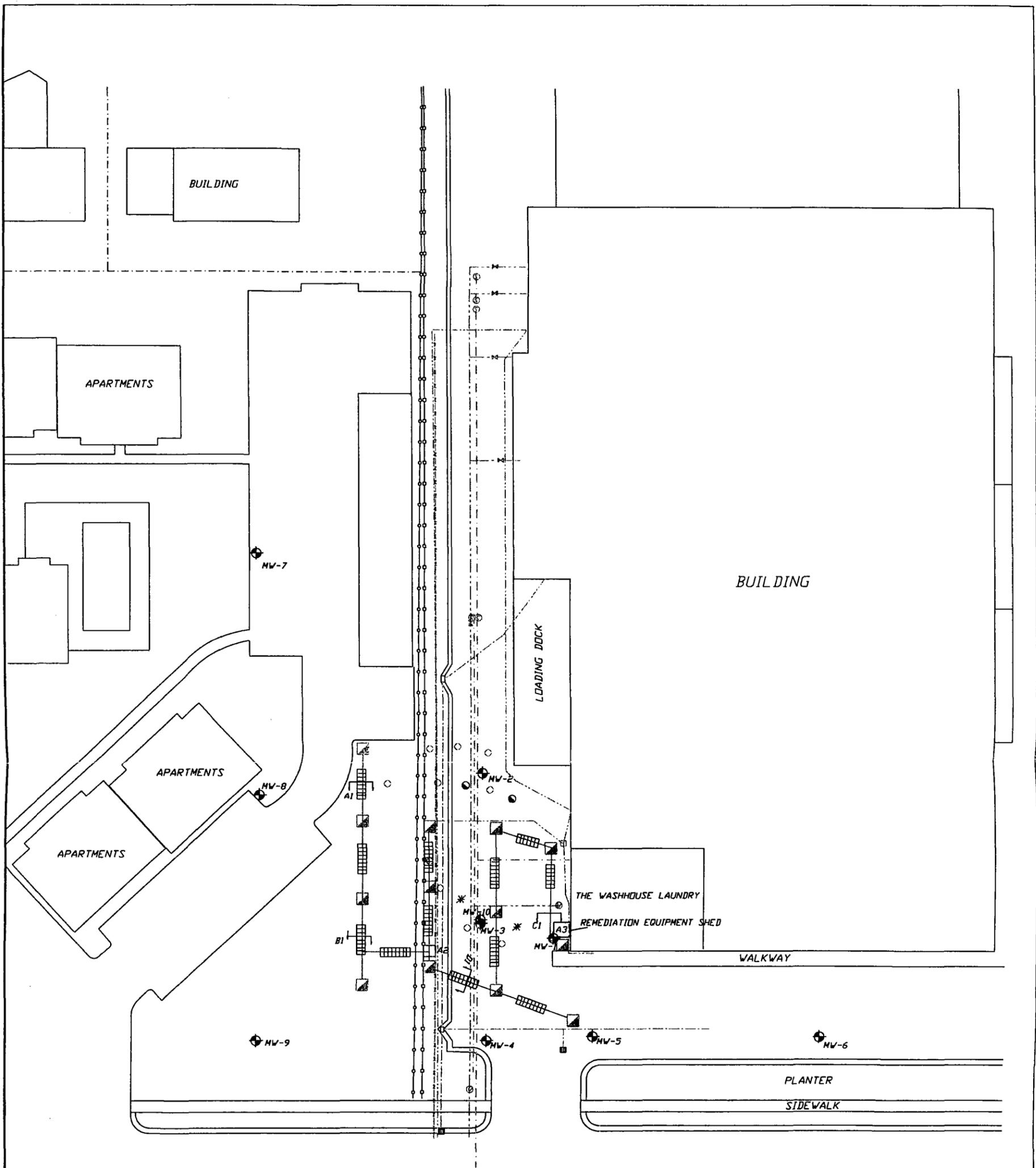
Property located in Salt Lake County, Utah, more specifically described as follows:

Beginning at a point that is North 47.68 feet and West 66.84 feet from a monument at the intersection of Redwood Road and 700 North, said monument is located South 89°51'52" East 1173.55 feet from a monument at the intersection of Starcrest Drive and 700 North, said monument is also located North 288.51 feet and West 89.35 feet from the South Quarter Corner of Section 27, Township 1 North, Range 1 West, Salt Lake Base and Meridian; thence North 44°12'39" East 12.89 feet; thence North 0°15'07" East 710.74 feet; thence North 89°51'50" West 534.20 feet; thence South 0°15'07" West 382.04 feet; thence South 89°51'50" East 4.28 feet; thence South 0°42'24" West 337.98 feet; thence South 89°51'50" East 523.66 feet to the point of beginning.

Property Tax Identification Number: 08-27-377-013-0000

ATTACHMENT B

**Redwood Plaza Shopping Center
Site Maps**



LEGEND

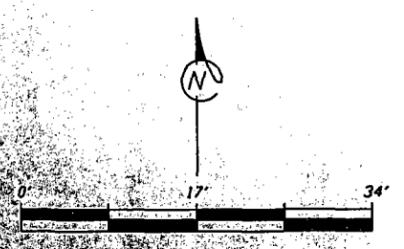
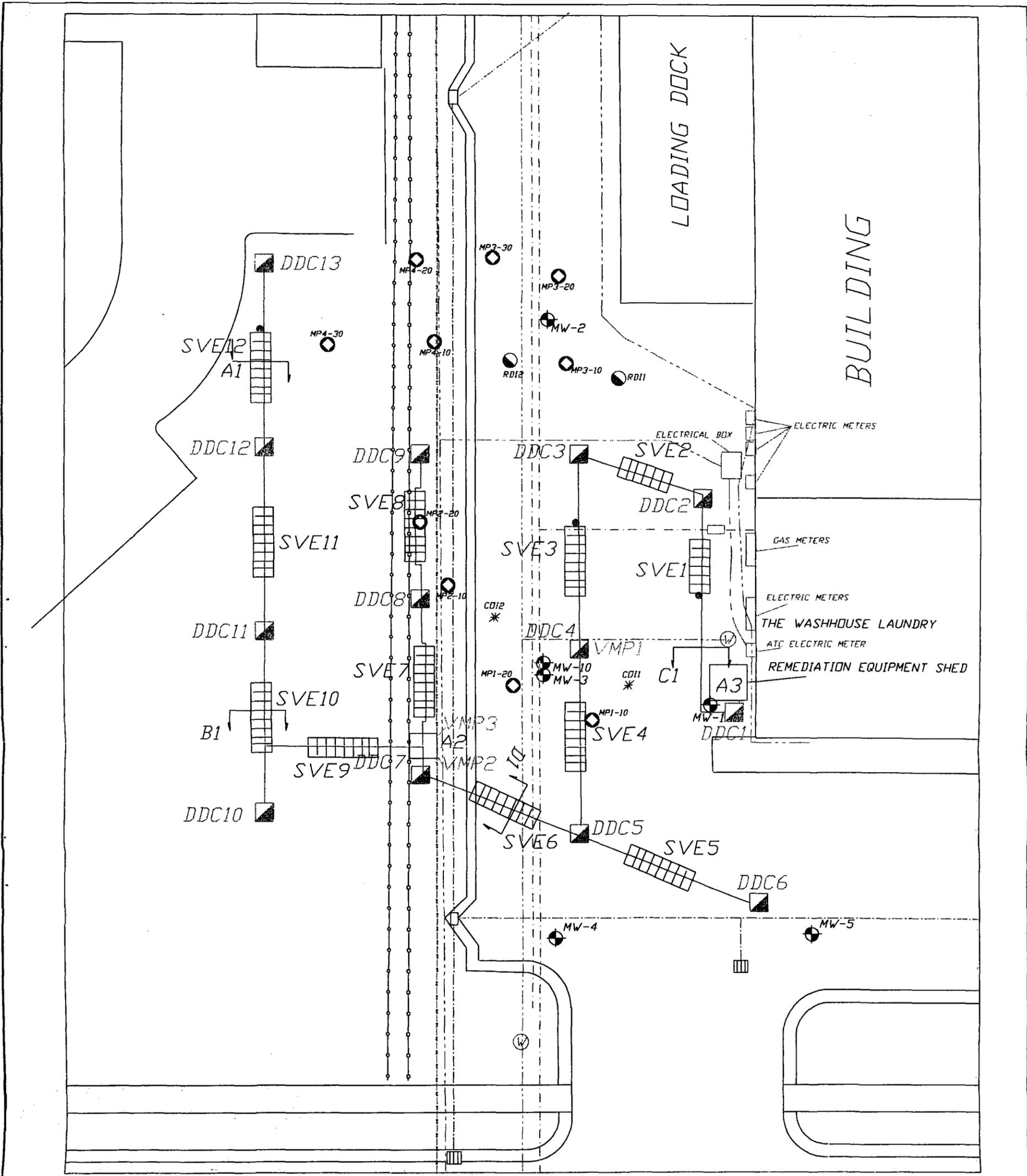
- ▣ SPARGING WELL
 - PRIMARY UNDERGROUND PIPING/TRENCH
 - ▤ HORIZONTAL SVE SECTION (6 TO 7 FEET BGS)
 - A1 TRENCH SECTION (See Figure 6 For Detail)
 - B1 TRENCH SECTION (See Figure 7 For Detail)
 - A3 REMEDIATION SHED (See Figure 6 For Detail)
 - A2 WELL VAULT (See Figure 6 For Detail)
 - B2 WELL VAULT WITH FLOW CONTROL VALVES (See Figure 7 For detail)
 - MW-5 ◈ MONITORING WELL LOCATION
 - * CHEMICAL OXIDATION INJECTION WELL LOCATION
 - MONITORING POINT WELL LOCATION
 - REDUCTIVE DECHLORINATION WELL LOCATION
- UTILITIES**
- ELECTRICAL LINE
 - STORM DRAIN
 - SEWER LINE
 - WATER LINE
 - GAS LINE

VATC
 ASSOCIATES INC.
 4424 SOUTH 700 EAST SUITE 240
 Salt Lake City, Utah 84107

SITE MAP
 WXI/MCN COMMERCIAL
 REAL ESTATE L.P.
 725-799 NORTH REDWOOD
 SALT LAKE CITY, UTAH

DRAWN BY: BDK
 PREPARED BY: BDK
 REVIEWED BY: JC
 PROJ NO: 71.75003.3502
 DATE PREPARED: 3-5-07

FIGURE 2



LEGEND	
MW-5	MONITORING WELL LOCATION
▣	SPARGING WELL
—	PRIMARY UNDERGROUND PIPING/TRENCH
▣	HORIZONTAL SVE SECTION (WITH VACUUM MONITORING CONNECTION POINT)
▣	HORIZONTAL SVE SECTION (4 FEET BGS)
A1	TRENCH SECTION (See Figure 6 For Detail)
B1	TRENCH SECTION (See Figure 7 For Detail)
A3	REMEDIATION SHED (See Figure 6 For Detail)
A2	WELL VAULT WITH FLDW CONTROL VALVES (See Figure 7 For detail)
VMP2	VAPOR MONITORING POINT
○	MP3-10 MONITORING POINT WELL LOCATION
○	RD11 REDUCTIVE DECHLORINATION INJECTION WELL LOCATION
○	CD11 CHEMICAL OXIDATION INJECTION WELL LOCATION
UTILITIES	
---	ELECTRICAL LINE
---	STORM DRAIN
---	SEWER LINE
---	WATER LINE
---	GAS LINE

VATC
 ASSOCIATES INC.
 2681 East Parleys Way, Suite 106
 Salt Lake City, Utah 84109

ASBUILT SITE DETAIL MAP
 WX1/MCN COMMERCIAL
 REAL ESTATE L.P.
 725-799 NORTH REDWOOD
 SALT LAKE CITY, UTAH

DRAWN BY: BX
 PREPARED BY: BX
 REVIEWED BY: JC
 PROJ NO: 71.75003.3502
 DATE PREPARED: 02-14-05

FIGURE 2A